

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

GEORGE GEORGIOU

:
:
:
:
:
:
:

CRIMINAL ACTION

No. 09-88

ORDER

AND NOW, this 7th day of December, 2009, upon consideration of Defendant George Georgiou's: (1) Motion to Dismiss Count One of the Indictment for Failure to Charge an Offense and as Impermissibly Duplicitous (Doc. No. 69); (2) Motion to Suppress Evidence (Doc. No. 74); (3) Motion to Dismiss the Indictment for Outrageous Government Conduct in Violation of the Due Process Clause (Doc. No. 75); and (4) Motion to Dismiss Wire Fraud Counts and Strike Surplusage from the Indictment (Doc. No. 76), and the Response, Reply and Supplemental Briefs thereto, it is hereby **ORDERED** as follows:

- (1) the Motion to Dismiss Wire Fraud Counts and Strike Surplusage from the Indictment is **GRANTED IN PART** and **DENIED IN PART**;
- (2) the language reading "[b]ecause Caledonia was unable to cover those massive losses, the firm could no longer operate and was liquidated" at page 41 of the Indictment is hereby **STRICKEN**; and
- (3) the remaining Motions are **DENIED**.

BY THE COURT:

/s/ Robert F. Kelly

ROBERT F. KELLY
SENIOR JUDGE